

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD SIMONEAU,

Plaintiff,

v.

FCA US, LLC,

Defendant.

No. 1:21-cv-00210-NONE-SAB

ORDER REGARDING SETTLEMENT  
CONFERENCE

**Date: July 22, 2021**

**Time: 9:30 AM**

This case is set for a Settlement Conference on **July 22, 2021, at 9:30 AM** before the undersigned. In light of the coronavirus (COVID-19) outbreak and the evolving coronavirus protocols, the attorneys who will try the case along with the parties and the person or persons having full authority to negotiate and settle the case, on any terms, shall appear **remotely** via Zoom at the conference.

Counsel for the parties shall contact Courtroom Deputy Esther Valdez at (559) 499-5788 or [evaldez@caed.uscourts.gov](mailto:evaldez@caed.uscourts.gov) for the video and dial-in information for all parties.

No later than **seven (7) days** prior to the settlement conference, each party shall submit directly to Judge McAuliffe's chambers at [bamorders@caed.uscourts.gov](mailto:bamorders@caed.uscourts.gov), a confidential settlement conference statement. This statement should neither be filed with the clerk of the Court nor served on any other party. Each statement shall be clearly marked "CONFIDENTIAL" with the date and time of the mandatory settlement conference indicated prominently.

1 The settlement statement should not be lengthy but shall include a brief recitation of the facts, a  
2 discussion of the strengths and weaknesses of the case, an estimate of the cost and time to be expended  
3 for further pretrial and trial matters, and the relief sought. The parties are also directed to include a  
4 candid statement on the party's position on settlement, **including the amount which the party will**  
5 **accept to settle, realistic settlement expectations**, present settlement proposals, and a history of past  
6 settlement discussions, offers, demands, and a report on settlement efforts to date.

7 This Court will vacate the settlement conference if the Court finds the settlement conference will  
8 be neither productive nor meaningful to attempt to resolve all or part of this case. As far in advance of  
9 the settlement conference as possible, a party shall inform the Court and other parties that it believes the  
10 case is not in a settlement posture so the Court may vacate or reset the settlement conference. Otherwise  
11 the parties shall proceed with the settlement conference in good faith to attempt to resolve all or part of  
12 the case.

13  
14 IT IS SO ORDERED.

15 Dated: June 16, 2021

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE